Defaced - Preserve -

App F IX-4

193 (ml)

File No 36-34

Previous References
Jud 36-34-14.4

Serial Nos 5-6

Letter References
Laws 38-38-(1-3)

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for December 1934

SUBJECT

Acquisition of land in Maragowdanahally Village, Mysore Taluk for the formation of a road for motor traffic to Banni mantap on Vijayadasami Day.

Order No S 3766 dated 30 11 34
Issue an erratum as suggested by the Dy Comm Mysore

WD 03607—GPB—22 500—2 8 35

ML 36+36-5

No D9. L.A.89/33-34.
Enc four

OFFICE OF THE DEPUTY COMMISSIONER
MYSORE DISTRICT

Dated, Mysore 9th November 1934.

1995

FROM

C S KUPPUSWAMIENGAR, Esq,
Deputy Commissioner,
Mysore District, Mysore

To

Rajasevasaktha
R RANGA RAO, Esq., B.A.,B.L.,
Chief Secretary to the Government of Mysore,
Bangalore.

CHIEF SECY 12 NOV. 1934

SIR,

Acquisition of land in Maragowdanahally village, Mysore Taluk for the formation of a road for motor traffic to Banni mantap on Vijayadasami day.

With reference to Notification No.L.1738/Ml.36-34-4 dated 7th September 1934 published on page 825 of the Mysore Gazette dated 13th September 1934 (copy enclosed for reference) in connection with the acquisition of certain properties of Maragowdanahally village for the Bannimantap road, I have the honour to state that the purpose for which the lands are required, is stated to be "the Bannimantap road" whereas the land notified is actually required for the Bannimantap road as well as for laying out an Industrial suburb.

On account of the land having been notified in the Gazette as required for the road only, the owner of the land has raised a technical objection to the effect that only so much of the land as is actually required for the road might be acquired.

I have thefore enclosed two erratum notifications both in English and Kannada to regularise the proceedings.

I request you to kindly obtain the approval of Government and cause these notifications to be published in the Gazette. A copy of the report received from the Sub Division Officer, Mysore, in this matter is enclosed for information.

Draft notification submitted for approval the Law Section may perhaps also be consulted

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner.

2664 p 34

General and Revenue Secretariat | File No | of 193 | [App F III—2

Serial No

It is not clear if the issue of the Erratum Notfn proposed by the Dy Com. will cure the defect in the notification of 7-9-34 which has led to the difficulty brought to notice.

For favour of remarks

Asst Secy, Law Secn
with Compts
19/11

Govt Law

The lands already notified in the Gazette of 13-9 are already taken possession of. Erratum notification proposed seems to serve the purpose intended

ISD 19/11

It is the land declared for acquisition that may be acquired for the public purpose declared. The question whether so much land is or is not required for such public purpose is not one for the owner to contest. Even land acquired for a certain declared public purpose can be used for other public purposes & such user is not in any way illegal. I do not therefore see the necessity for issuing any Erratum as proposed

Asst Secy
with Compts
19-11

Please put up a draft Erratum Notfn as proposed

19/11

Note.—Contn. Sheet

WQ 01955—GPB—22 500—12 6-34

1995 ✓

[redacted] of Properties

2664

1995

P

Mr File No 36 of 193 4

GSI

Draft submitted for approval

RMM 20/11 PM 20/11

Chief Secy) Does there any harm in following the Suggestion of the D C ?

RR 21/11/34

CHIEF SECRETARY 21 NOV. 1934

Addl Secy Lawson WW Camps) HPM 21/11

I do not see any harm in issuing an erratum as suggested by the D C - what is pointed out in my note above is only that such issue is legally unnecessary

my Lawson

HPM 21/11/34

L S G Dr)

Chief Secy) HPM 21/11

Then issue the erratum

RR 23/11/34

CHIEF SECRETARY 22 NOV. 1934

Please issue Draft Erratum as revised

HPM 23/11

The compiler

To L 3766 dated 30-11-34

Issues an erratum as suggested by the D C.

To L 3767 dated 30-11-34 Copy to D C Mysore

24 NOV

6

✓

R

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 3766
Rel: 36-34-6

General and Revenue Secretariat,

Dated Bangalore 24th November *193* 4

Part III.

NOTIFICATION:

In Government Notification No.L.1730/Rl.36-34-4 dated 7th September 1934 published on page 645 of Part III-1 of the Mysore Gazette dated 13th September 1934 regarding the acquisition of portions of Survey Nos.181 and 182 of Harajoddahalli village, Mysore Taluk, for the words"Bannimantap road" in line 3 read " Bannimantap road, Industrial suburb and other public purposes"

By order,

Asstt. Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in Part III-1 of the Gazette.

R.D.

Erratum No. L 3766

NOTIFICATION. Ml 36-34-6

& 30.11.34

While reading the Government Notification No.L.1738/M1. Part III-1
36-34-4 dated 7th September 1934 published on page 825 of the issue of the Mysore Gazette page 825 dated 13th September 1934 regarding the acquisition of portions of S.Nos. 121 and 122 of Maragowdnahalli village, Mysore Taluk, required for the words "Bannimantap road" in line 3 please read the purpose of acquisition as "Bannimantap road, Industrial suburb and other public purposes".

Deputy Commissioner,
Mysore District.

NRS

To the Compiler, Mysore Gazette, for publication in Part III-1 of the issue

By order

Reference - No. L 3767 & 30.11.34.

Copy of D.C. Mysore's Memo No. Dy L A 34/33-34 dated 9-11-34

for Chief Secy

for Chief Secy

ఇస్తిహార్నామా.

మిళాసు అతొ ఖ్వాలుతరగిండ్ల వగంక్షిగ్రామాద
నర్వి-121 రుపస్ను ఇనాసేవసంచాదు సంబంధిగళ్ల
ఇన్ని రుంటివరిదరస్తే నీర్వరన్నం విడ్చిపించడ్డీలు
రుపులు లుంట్రోం ధ్వన్యాంగాదేగాడు 13-9 36 నే
రుగ్గొల్ల 9 16 సంస్థీగాడు చిత్తగాంవారగే కొట్టిన వడ్డ
ధ్వాంబిడ్డీ రుంది రిప్పసుకొరిగరుడ్డీ.

"ఇన్ని రు. ఇవరిదరస్తే ఇస్తీ" అంనెఇలవ
ర్తీతోఇన్ని రుండివరిదరస్తే, ఇంగడ్డీ రుంటలేరిబ
రీ రుపలేస్తు ఇరగనిబ్బే ఇనిదర్ల మీఁలంఇనస్తే
ని "రుండిబ్రేవ్ ధిగిరుం ధ్వర్లుదర్ల్ నిస్తే -

Sub Registrar
Chitradurga.
25-10-36

Pyadal
Asst Chief Secy

Mysore
7/11

OFFICE OF THE SECRETARY TO THE BOARD OF MANAGEMENT, MYSORE LOCAL SERVICE AND PLEADERS' EXAMINATIONS, BANGALORE

No 59, *dated* 30*th August* 1934

It is hereby notified for general information that copies of the Muzrai Manual have been published and made available for sale at the Government Book Depot at Rs 2-8-0 per copy

The examination in the Muzrai Manual, the Religious and Charitable Endowments Regulation and Rules thereunder prescribed in G O No R 5329 88—L R 245-29-4, dated the 31st January 1930, will be held in December 1934

By Order,
C SUBRAHMANYA AIYAR,
Secretary.

CHIEF SECRETARIAT

No L 1738—*Ml* 36-34-4, *dated* 7*th September* 1934

Under Section 6 of the Land Acquisition Regulation of 1894, as amended by the Land Acquisition Amendment Regulation No I of 1927, the Government of His Highness the Maharaja of Mysore declares that the land measuring, be the same a little more or less, is needed for a public purpose, to wit, Banni Mantap Road, and under Sections 4 and 7 of the same Regulation, the Assistant Commissioner in charge of Mysore Sub-Division is appointed to perform the functions of a Deputy Commissioner under the Regulation and directed to take orders for the acquisition of the said land Under sub section (1) of Section 17 of the Regulation, the Government further directs that the possession of the said land may be taken on the expiry of fifteen days from the date of publication of the notice mentioned in Section 9 (1) of the Regulation A plan of the land is kept in the Taluk Office, Mysore, and may be inspected at any time during office hours

District	Taluk	Hobli	Village	Names of khatedars or owners	Survey Number or Municipal No	Whether dry, wet, or garden etc	Total extent	Kharab	Remaining extent	Assessment	Extent now required		Boundaries			
											Extent	Assessment	East	West	North	South
							A g	A g	A g	Rs a	A g	Rs a	S No	S No	S No	S No
Mysore	Mysore	Kasaba	Maragowdanahalli	Khatedar—Thib bamma kom Thimma Anubhavadar—K C Ramiah, Mission Putta swamiah Mari sami	121	Dry	10 0	0 14	9 26	9 0	6 1	5 12	120	Yeerana gere limits and Thamma nna s land	Bhakshi Raja Khan s land	Veerana-gere limits
				Khatedar—Dod diah s son Bor-iah Anubhavadar—Sahukar T Thammanna	122	Do	4 32	0 7	4 25	5 8	3 7	3 12	121	Road	123	Yeerana-gere limits

By Order,
R RANGA RAO,
Chief Secretary to Government.

DEVELOPMENT SECRETARIAT

No L 1681—V P 12-34-30, dated 5th September 1934

Under Section 4 of the Land Acquisition Regulation, 1894, as amended from time to time, it is hereby notified that the property described hereunder is required for a public purpose, *viz*, Construction of a School Building at Kuntur

Under Section 5 A, it is directed that any person interested in the said property, may, within 30 days after the issue of this notification, prefer objections, if any thereto, to the Assistant Commissioner, Mandya, in writing, after which no objections will be heard

A plan of the property will be available for inspection in the Office of the Assistant Commissioner, Mandya Sub-Division

District	Taluk	Hobli	Village	Name of khatedar or owner	Survey Number or Municipal Number	Whether dry wet or garden, etc	Total extent	Kharab	Remaining extent	Assessment	Extent now required		Boundaries			
											Extent	Assessment	East	West	North	South
Mysore	Malvally	Halagur	Kuntur	Khatedar—Molkingegowda, Anubhavadar—Durgoji Rao	46	Dry Garden	98 guntas		96 guntas	Re 1-0-0	1 gunta		Government vacant site	Survey No 167	Temple of Hanumantharaya swami	Government vacant site

Letter No.L.A.22-23/34-35 dated 9th November 1934 from the Sub Division Officer, Mysore, to the Deputy Commissioner, Mysore Dt.

In connection with the acquisition of lands required for the formation of a road for Motor traffic to the Bannimantap, the lands were notified in the Mysore Gazette dated 13th September 1934 in page 825 as though the lands were required for the road only. The lands were taken possession of immediately. Before issue of Land Acquisition Notice under Section 9 Mr. T.Thammanna owner of S.No.122 stated on 16th September 1934 that he has no objection to hand over possession of the land actually required for the road. He also stated in person that the area proposed for the road is too much and that the remaining extent might be restored to him. The total extent notified to be acquired is 3-7 while the actual extent required only for the road may be about 0-10 guntas or so. Had the petitioner brought this objection before the ~~x~~ close of the preliminary enquiry this objection would have been considered and settled. The Preliminary order was passed on 27th July 1934 while the letter of the petitioner was filed on 30th July 1934. So final sanction of Government was obtained to the acquisition of the lands.

On 16th September, 1934 while he pressed with regards to the actual area required for the road, I went through the entire records and since the lands were required both for the formation of a road and an Industrial suburb, I informed him that nothing can be done. Later notices under Section 9 were issued intimating the necessity of the land as required both for the land and suburb. The owner has raised an objection on the ground that the intension of the acquisition of the land has been notified as it were only for the road and only that much of the land as is required for the road might be acquired. On making a reference to the Chairman, City Improvement Trust Board, he writes to me that the lands are required for opening a road as well as for other City Improvement purposes. In these circumstnces, I feel doubtful if it is necessary to notify all the purposes of acquisition of the lands in the Gazette. The main purpose is the formation of a road and there is no change in respect of the area and other details. It is true that the

whole

whole area notified is for a public purpose as notified but for whatever purpose it might be made use of provided it is a public purpose.

In these circumstances, I request orders whether the objection is valid and whether an amendment notification is necessary. However, I have herewith enclosed an erratum notification for kind perusal.

"Copy".

~~For~~ Deputy Commissioner,
Mysore District.

NRS

Appendix F G—1]

SUBJECT

Section Mg

File No 36—34

Serial No.

No

Diary No of letter replied to

To

The Deputy Commissioner,

Mysore District

General and Revenue Secretariat

( )

the *193*

Sir,

With reference to your letter No.

D 9 L A 89/33-34 dated 9-11-1934

stating that in connection with the

acquisition of certain properties in

Maragowdanahalli Village, Mysore Taluk

for the Bannimantap road, the owner

of the land has raised a technical

objection that only so much of the

land as is actually required for the

road might be acquired and

requesting that an erratum notification

defining the purpose of the acquisition

as 'the Bannimantap road, Industrial

Date of issue

Signed by

List of enclosures

Copied by

Examined by

WD 01956—GPB—22 500—12-6-34

~~The caused to be served~~, I am directed to state that it is the land declared for acquisition that may be required for the public purpose so declared and that the question whether so much land is or is not required for such public purpose is not one for the owner to contest. ~~and that~~ Even land required for a certain declared public purpose can be used for other public purposes and such user is not in any way illegal. Govt do not therefore consider it necessary for issuing any notification as proposed in the above ~~creation~~ I have etc

Asst 20/11 Chief Secy Wynad